

MAY 20 2004

In re Application of: Ishibashi et al.

10/663,999

September 16, 2003

For: METHOD FOR SELECTIVELY SEPARATING LIVE CELLS EXPRESSING A SPECIFIC GENE

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

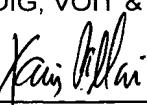
Transmitted herewith is a Second Preliminary Amendment in the subject application.

- Small entity status is claimed for this application under 37 CFR 1.27.
- Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- Other:
- Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY	OTHER THAN A SMALL ENTITY					
TIME EXTENSION PETITION FEE		none		\$ 0.00		\$ 0.00					
		subtract time extension fee previously paid		(\$ 0.00)		(\$ 0.00)					
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDT. CLAIM FEE	ADDT. CLAIM FEE				
TOTAL	14	MINUS	20	=0	x 9=	\$	x 18= \$				
INDEPENDENT	3	MINUS	3	=0	x 43=	\$	x 86= \$				
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 145=	\$	+ 290= \$				
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL \$0.00				

- The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
 LEYDIG, VOIT & MAYER, LTD.

By 
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IFW

PATENT
Attorney Docket No. 224436
Client Reference No. FP00-0043-01US-HP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ishibashi et al.

Application No.: 10/663,999

Art Unit: 1634

Filed: September 16, 2003

Examiner: Ethan C. Whisenant

For: **METHOD FOR SELECTIVELY
SEPARATING LIVE CELLS EXPRESSING
A SPECIFIC GENE**

SECOND PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please enter the following amendments prior to the examination of the application.
A first Preliminary Amendment was filed on September 16, 2003.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.10

I hereby certify that this Second Preliminary Amendment and all accompanying documents are, on the date indicated below, being deposited with the United States Postal Service on May 20, 2004, in an envelope as "EXPRESS MAIL TO ADDRESSEE" service under 37 CFR 1.10, Mailing Label Number EV335718736, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)	XAVIER PILLA		
Signature	Xavier Pilla	Date	May 20, 2004